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Dept.: E/M

By: GJM/RFC/kkn

OSMM&N File No. 245646US2

Serial No. 10/717,595

In the matter of the Application of: Joichiro EZAKI, et al.

For: MAGNETIC MEMORY DEVICE, WRITE CURRENT DRIVE CIRCUIT, AND
WRITE CURRENT DRIVE METHOD

Due Date: N/A

The following has been received in the U.S. Patent Office on the date stamped hereon:

☒ Dep. Acct. Order Form

☒ Cover Letter

☒ **COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR
THE INDICATION OF ALLOABLE SUBJECT MATTER AS TO CLAIMS
32-39**

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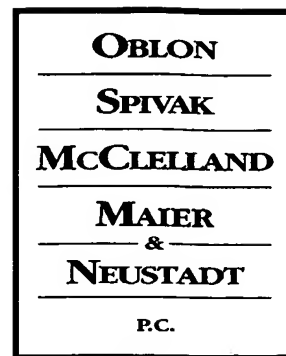
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Docket No.: 245646US2

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/717,595
Applicants: Joichiro EZAKI, et al.
Filing Date: November 21, 2003
For: MAGNETIC MEMORY DEVICE, WRITE CURRENT
DRIVE CIRCUIT, AND WRITE CURRENT DRIVE
METHOD
Group Art Unit: 2827
Examiner: TRAN, M. T.

SIR:

Attached hereto for filing are the following papers:
**COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR THE INDICATION OF
ALLOABLE SUBJECT MATTER AS TO CLAIMS 32-39**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

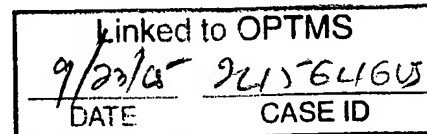
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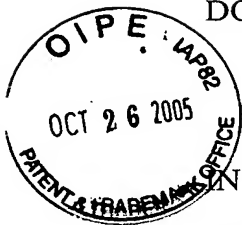
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DOCKET NO: 245646US2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

JOICHIRO EZAKI, ET AL.

SERIAL NO: 10/717,595

FILED: NOVEMBER 21, 2003

FOR: MAGNETIC MEMORY DEVICE,
WRITE CURRENT DRIVE CIRCUIT, AND
WRITE CURRENT DRIVE METHOD

:

: EXAMINER: TRAN, M. T.

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: GROUP ART UNIT: 2827

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COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR THE
INDICATION OF ALLOABLE SUBJECT MATTER AS TO CLAIMS 32-39

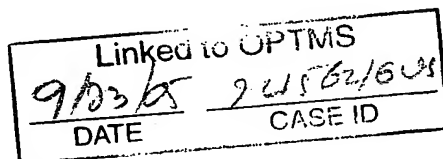
COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

The Examiner's statement of reasons for the indication of allowable subject matter as to Claims 32-39 on page 4 of the Action mailed May 3, 2005, is inaccurate as to the subject matter included in any particular one of Claims 32-39 and includes subject matter not found in any of these claims.

For example, this statement is inaccurate in suggesting that the subject matter of all of Claims 32-39 includes "the current direction control section" that is recited by Claim 32. Note, for example, that independent Claim 37 is a method claim that does not recite any "current direction control section."

Furthermore, even though independent Claim 32 does recite a "current direction control section," it does not recite this section as selecting "one or both ends of said write line," as inaccurately suggested. Instead, Claim 32 simply recites that this section will "control the direction of write current in the write line."



Even greater inaccuracies are presented as to the subject matter of Claims 32-39. For example, none of these claims recite a "toroidal magnetic layer," much less one "disposed on one face of the layered product" as the inaccurate statement urges.

Accordingly, as the above -noted Examiner's statement of reasons for the indication of allowable subject matter as to Claims 32-39 on page 4 of the Action mailed May 3, 2005 is clearly in error as to the actual recitations of these claims, it should be withdrawn.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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